FIFTH DAY.—*Friday, 10th June 1932.*

The House re-assembled at 12 NOON.

Before the business for the day was resumed, certain members represented that the business transacted during the previous four days in the Assembly was very meagre. Only 6 representations and 12 interpellations were gone through, the budget was discussed only one day and none of the resolutions had been reached. They therefore prayed for extending the sittings by a day.

Thereupon, THE DEWAN agreed to extend the session by one day, *i.e.*, to Sunday morning from 8 to 11 or 12, so as to be able to cover a larger ground.

QUESTIONS AND ANSWERS—(*Continued*).

MESSRS. SAVANDAIYA and R. DEVAIYA (Mysore Taluk); B. SIDDALINGA SETTY and B. CHENNAPPA (Yedatore Taluk); H. V. HANUMANTHA SETTY and H. R. T. RAJAGOPALA MUDALIAR (Hunsur Taluk); C. DASAPPA and B. LINGE GOWDA (Heggadadevankote Taluk); PUTTAMADAPPA (Nanjangud Taluk); PATEL PUTTASAMAIYA and K. V. VEERANNA (Chamarajnagar Taluk); PATEL SUBBANNA (Gundlupet Taluk); T. S. SADASIVAMURTHY and B. S. PUTTASWAMY (T.-Narsipur Taluk); K. NAGANNA (Yelandur Taluk); S. C. MALLIAH, M. C. LINGE GOWDA and H. HONNAIYA (Mandya Taluk); H. K. MADAIYA and PUTTASAMI GOWDA (Malvalli Taluk); K. M. KRISHNAPPA GOWDA and T. M. KAPANI GOWDA (Nagamangala Taluk); A. LINGEGOWDA and C. MARI GOWDA (Krishnarajpet Taluk); SIVANANJE GOWDA and KULLEGOWDA (Seringapatam Taluk); IBRAHIM KHAN (Hunsur Municipality); MUDLAGIRI GOWDA (Malvalli Municipality); VENKATASUBBA SETTY (Chamarajnagar Municipality); M. SUBBAIYA (Seringapatam Municipality); RAO BAHADUR DHARMAPRAKASA D. BANUMIAH (Mysore City Municipality); S. THIMME GOWDA, H. C. DASAPPA

and N. SIDDALINGADEVARU (Special Interests); T. MARIAPPA, MAHOMED SAIT, K. IBRAHIM KHAN, RANGADASAIYA, M. C. CHELUVAIYA and D. VENKATASETTY (Minority Interests).—

Q.—14. Will the Government be pleased to state:—

(*a*) Whether they are aware of the fact that the President of the Mysore City Municipal Council has written to Mr. T. S. Alikhan, a nominated member of the Municipal Council, on 16th March 1932, to the effect that the interests of the rate-payers of Mysore City are no concern of his as he represents no constituency of any kind?

(*b*) What is the object of making nominations to local bodies?

(*c*) Whether or not a member nominated to a Municipal Council is expected to work in the interest of the rate-payers?

(*d*) Whether Mr. T. S. Alikhan was not nominated by Government with the idea of representing the Muslim community of Mysore also?

(*e*) What is the population of Mussalmans in the city of Mysore according to the latest Census and whether there are not rate-payers among them?

(*f*) Whether the President himself is not a nominated official and how long has he been in that office as President?

(*g*) How long has Mr. T. G. Rama Iyer, the President of the Municipal Council, been stationed in Mysore City in one or other capacity?

GENERAL SECRETARY TO GOVERNMENT.—

A.—14. (*a*) Government are aware of the President's letter dated 16th March 1932, telling Mr. Alikhan that as he represented no constituency of any kind, no question of the rights of rate-payers referred to by him could arise in his case.

(*b*) The object is *inter alia* to provide for representation of communities whose representatives do not come in by election.

(*c*) Yes.

(*d*) Yes.

(*e*) 17,768; Yes.

(*f*) Yes. Since the 1st May 1928.

(*g*) He has been there from 9th October 1927, *i.e.*, for about 4 years and 7 months.

Supplementary Questions and Answers.

Mr. B. S. Puttaswamy.—

Do the nominated members represent the interest of the rate-payers?

General Secretary to Government.—

They do.

Mr. B. S. Puttaswamy.—

Has not the President of the Mysore City Municipality written to a nominated member that, in his case, the question of representing the rate-payers does not arise?

General Secretary to Government.—

The reply to it is given in (*a*).

Mr. B. S. Puttaswamy.—

Is not the opinion of Government and that of the President in conflict with each other?

General Secretary to Government.—

You have got the facts before you and you can form your own conclusion.

Mr. H. C. Dasappa.—

Will not a statement that a nominated member need not concern himself with the rate-payers' interests in the Municipal Council act as a great discouragement to such a nominated member?

General Secretary to Government.—

It depends on the nominated member.

Mr. H. C. Dasappa.—

Is it not practically an insult offered to the nominated member?

General Secretary to Government.—

It is a matter of opinion. I would not personally take it as an insult.

Mr. H. C. Dasappa.—

If a nominated member should not concern himself with the rate-payers, whom else should he concern himself with?

General Secretary to Government.—

Government have already given the reply that every nominated member is expected to represent the rate-payers.

Mr. H. C. Dasappa.—

Is not the President of the Mysore City Municipal Council himself a nominated member?

General Secretary to Government.—

You have got the reply.

Mr. H. C. Dasappa.—

And could one nominated member, who is a subordinate of Government, offer an insult to another nominated member in the way it has been done?

General Secretary to Government.—

Government have expressed their opinion about the representative character of the nominated member.

Mr. H. C. Dasappa.—

Has Mr. Alikhan made any representation to Government in this case?

General Secretary to Government.—

I understand he has.

Mr. H. C. Dasappa.—

Has he not been informed that the President's interpretation as regards the position which a nominated member holds is incorrect?

General Secretary to Government.—

I do not know if he has been written to; but the reply of Government given here makes the position clear.

Mr. H. C. Dasappa.—

Did Mr. Alikhan claim to represent any constituency as such in his letter?

General Secretary to Government.—

I have no idea.

Mr. H. C. Dasappa.—

Have the Government informed the President that his view is wrong?

General Secretary to Government.—

He has been told that the view he has taken is not right.

Mr. H. C. Dasappa.—

Has he explained to the nominated member the interpretation given by the Government?

General Secretary to Government.—

I do not know.

Mr. H. C. Dasappa.—

Is it not desirable that the President should make some amends to the member?

General Secretary to Government.—

It is a matter between the nominated member and the President.

Mr. H. C. Dasappa.—

Is not the President's attitude an insult to the Government also?

General Secretary to Government.—

There is no question of insult here. At the worst, it may be an error of judgment.

Mr. H. C. Dasappa.—

With reference to answer to sub-section (*g*), what are the different capacities in which he has served in the Mysore City?

General Secretary to Government.—

I think in several capacities: as Sub-Divisional Officer, Deputy Commissioner, etc.

Mr. H. C. Dasappa.—

Was he not the City Magistrate at Mysore for three years?

General Secretary to Government.—

Yes, he was also the City Magistrate here for some time.

Mr. H. C. Dasappa.—

Are Government aware that complaints against Session this officer were brought to their notice in the last June of the Assembly in regard to certain appointments made in the Municipal Council and that the Government had replied that they would take suitable notice?

General Secretary to Government.—

The complaint had come; but I do not know if Government said that notice would be taken.

Mr. H. C. Dasappa.—

Is it not desirable that, when there is such a kind of feeling between the members and the President, a change should be effected?

General Secretary to Government.—

That is not a question which arises out of this.

Mr. H. C. Dasappa.—

Do you think that the cause of local self-government will be promoted if there is such a conflict?

General Secretary to Government.—

The relationship should be cordial.

Mr. P. Sitharamiah.—

Is there or is there not any difference between a constituency and an interest which a nominated member is expected to represent? In other words, is a nominated member expected to represent a constituency in the technical sense of the term?

General Secretary to Government.—

I could not tell you. It is for the member concerned to say it.

Mr. P. Sitharamiah.—

Is it not for the Government to say?

General Secretary to Government.—

The Government never tells a nominated member what he has got to do.

Mr. P. Sitharamiah.—

I am not referring to the duties. I am trying to know whether a nominated member represents a constituency.

Second Member of Council.—

It is a contradiction in terms. A constituency means a body of persons who return a member to a council. Naturally, a nominated member is not returned by any constituency.

Mr. P. Sitharamiah.—

Is there anything in the Municipal Regulation to indicate that nominations made under Section 10 (*b*) (i) are intended to represent a minority or special interest ?

General Secretary to Government.—

May I refer you to the Regulation itself ?

Mr. P. Sitharamiah.—

Yes, I have referred to it. I want to know whether there is any specific indication in it to say that a nominated member represents an interest.

General Secretary to Government.—

It is for you to find it out.

Mr. P. Sitharamiah.—

There is no such reference in the Regulation. Then on what section of the Regulation is the reply given in (*d*) based ?

General Secretary to Government.—

Government have told you what their object is in making nominations.

Mr. P. Sitharamiah.—

Is there anything in the notification nominating Mr. Alikhan to indicate that he was nominated to represent either a particular community or special interest ?

General Secretary to Government.—

It is not necessary to indicate it. Why put questions about a thing that is known ?

Mr. P. Sitharamiah.—

Is Mr. Alikhan nominated under Section 10 (*b*) (i) of the Regulation or under any other section ?

Second Member of Council.—

It must be under that.

Mr. P. Sitharamiah.—

If so, have the Government in any manner disclosed the particular interest which he has to represent ?

Second Member of Council.—

Not in that notification.

Mr. P. Sitharamiah.—

So he is practically a representative of an undisclosed interest?

Second Member of Council.—

Everybody knows whom he represents.

Mr. P. Sitharamiah.—

Are the rate-payers made aware of the fact that Mr. Alikhan has been nominated with the object of representing a special interest or a particular community ?

General Secretary to Government.—

They are not made aware of either that or the opposite.

Second Member of Council.—

It would be simply perversity to assume that anybody does not know whom Mr. Alikhan represents. Everybody knows that he represents the Muslims.

Mr. P. Sitharamiah.—

Unless it is indicated in the notification nominating him, how are the rate-payers to know it? I want to know whether a particular community has been asked to elect this gentleman and then a nomination has been made.

Second Member of Council.—

That would be a contradiction in terms.

Mr. P. Sitharamiah.—

Are Government aware that, for the representation of any particular interest, the candidate has to be elected first and then nominated by Government under a notification ?

Second Member of Council.—

You are evidently referring to associations returning a representative. In that case, it is a recommendation made to Government for nomination.

Mr. P. Sitharamiah.—

Was there any recommendation from the Mahomedan community with regard to the particular individual ?

Second Member of Council.—

No, there was not.

Mr. P. Sitharamiah.—

So it is purely from the point of view of Government that that indication is given but undisclosed ?

Second Member of Council.—

It is perfectly disclosed. The general principles on which nominations are made are published for public information. The nominated member knows it, the public know it and the Government know it also.

Mr. P. Sitharamiah.—

Is it not necessary that the community or interest which a nominated candidate is expected to represent is disclosed in the notification making the nomination ?

General Secretary to Government.—

It could not be made more obvious.

Dewan.—

It is not proper for any president of a local body, especially on the part of an official president, to say to a member, be he nominated or elected, that he represents nobody but himself.

Mr. P. Sitharamiah.—

I do not dispute it. My point is that, in cases of nominations, it is better for Government to state in the notification

the particular community or special interest which each nominated member is expected to safeguard.

Dewan.—

It is not generally done. Government nominate candidates to several bodies like the University and the Legislative Council and they do not state what special interest each person should represent. He is expected to know it. That is all.

Mr. K. T. Bhashyam Iyengar.—

Is it not a fact that Government expect a nominated member to safeguard the interests of rate-payers as much as an elected councillor?

General Secretary to Government.—

Quite so.

Mr. K. T. Bhashyam Iyengar.—

Do not Government feel that the view expressed by the President that Mr. Alikhan does not represent the rate-payers is improper?

General Secretary to Government.—

The question has already been answered.

Mr. K. T. Bhashyam Iyengar.—

When did Government come to know of the President's view on this question?

General Secretary to Government.—

Probably after this question was received.

Mr. K. T. Bhashyam Iyengar.—

Is it a fact that the conduct of the President in this case appeared in the newspapers soon after the incident?

General Secretary to Government.—

We have no idea.

Mr. K. T. Bhashyam Iyengar.—

Are Government in the habit of reading newspapers?

General Secretary to Government.—

They are.

Mr. K. T. Bhashyam Iyengar.—

Was a cutting of this matter sent for the information of Government?

General Secretary to Government.—

Cannot say. I want notice.

Mr. K. T. Bhashyam Iyengar.—

Have Government communicated their disapproval to the President?

General Secretary to Government.—

Not disapproval; they have communicated their view to the President.

Mr. K. T. Bhashyam Iyengar.—

Have they received an expression of regret from the President?

Dewan.—

He is a subordinate officer of Government and we do not expect him to apologise. If an officer of Government is found fault with, the opinion of Government is communicated to him for his future guidance.

Mr. K. T. Bhashyam Iyengar.—

Has the President communicated to Mr. Alikhan the Government's decision regarding the interpretation under dispute?

General Secretary to Government.—

So far as Government are concerned, they have told both the President and the member what their view is.

Mr. K. T. Bhashyam Iyengar.—

Are the Government aware whether the President has expressed his regret to Mr. Alikhan?

General Secretary to Government.—

Government are not aware of it. It is a matter between the President and the member concerned.

Mr. D. S. Mallappa.—

Is it not a fact that there is no difference between the

powers enjoyed by an elected member and a nominated member ?

General Secretary to Government.—

I would refer you to the Regulation as regards the powers of the members, both elected and nominated.

Mr. D. S. Mallappa.—

Since a nominated member enjoys the same privilege as an elected member, is not the action of the President open to objection ?

General Secretary to Government.—

You have been told what the Government's view is.

Mr. D. S. Mallappa.—

Has not the President injured the susceptibilities of the member concerned ?

General Secretary to Government.—

It depends upon the member.

Mr. D. S. Mallappa.—

When the President has acted against the spirit of the Regulation, is it not the duty of the Government to ask him to apologise ?

General Secretary to Government.—

They have told the parties concerned what the right view is. They leave it there.

Mr. D. S. Mallappa.—

Is it not the duty of the President to express his regret to the member concerned when he has acted against the Regulation ? Should not Government compel him to do it ?

General Secretary to Government.—

As I said, Government have told him what the right view is.

Mr. D. S. Mallappa.—

What is the disciplinary action that Government have taken on it ?

General Secretary to Government.—

No further action is called for.

Mr. D. S. Mallappa.—

Can any Government officer offer insults to non-officials?

General Secretary to Government.—

Most emphatically not.

Mr. D. S. Mallappa.—

Does not this case call for more serious notice on the part of Government?

General Secretary to Government.—

Government do not agree with you that they have not dealt with the President properly.

Mr. G. Channappa.—

May I know what interest Mr. T. G. Rama Iyer represents in the Municipal Council?

General Secretary to Government.—

The interests of the municipal administration of the Mysore City.

Mr. G. Channappa.—

Does he also represent the interests of the rate-payers?

General Secretary to Government.—

Yes.

Mr. P. Subbarama Chetty.—

With reference to the supplementary answer that Mr. Alikhan is nominated to represent the interests of the Muslim community, do you recognise the principle of communal representation in the municipal administration?

General Secretary to Government.—

Yes.

Mr. P. Subbarama Chetty.—

Are any restrictions imposed on nominated councillors in expressing their views in public bodies?

General Secretary to Government.—

No restrictions.

Mr. P. Subbarama Chetty.—

Is there no moral binding that, when they express their views, they should not be opposed to the views of the Government?

General Secretary to Government.—

Nothing of the kind.

Mr. P. Subbarama Chetty.—

Are not Government aware that the nominated members invariably support the views of Government?

General Secretary to Government.—

No.

Mr. P. Subbarama Chetty.—

Are not the Proceedings of the Municipal Meetings sent to the Government?

General Secretary to Government.—

Yes, of some Municipal Councils.

Mr. P. Subbarama Chetty.—

Do Government assure us that they do not expect the nominated councillors always to support their views?

General Secretary to Government.—

Yes.

Mr. P. Subbarama Chetty.—

Has it come to the notice of Government that some nominated members are under the impression that they ought to represent the interests of Government?

General Secretary to Government.—

They do not represent the Government.

Mr. P. Subbarama Chetty.—

Whom does the official president represent?

General Secretary to Government.—

He represents the municipal administration.

Mr. P. Subbarama Chetty.—

Is it both the Government and the rate-payers?

General Secretary to Government.—

Yes.

Mr. P. Subbarama Chetty.—

Does he not represent a Government constituency?

General Secretary to Government.—

Government are above all constituencies.

Mr. Mahomed Imam.—

Is it not a fact that an official nominated member represents the interests of Government and a non-official nominated member that of the people?

General Secretary to Government.—

That question does not arise.

Mr. Belur Srinivasa Iyengar.—

Will Government be pleased to circulate the view taken by them in this case to the Presidents of all the municipalities in the State?

General Secretary to Government.—

No necessity.

Mr. Belur Srinivasa Iyengar.—

Should they not publish the fact that the view of the President on this question is not correct?

General Secretary to Government.—

If what is happening here does not find publicity, I do not know what else will.

Mr. Belur Srinivasa Iyengar.—

Are Government aware that, in the Judicial Department, if the procedure followed by a sub-court is found to be irregular, the High Court communicates its view about it to all the magistrates and judges for guidance?

General Secretary to Government.—

That has no connection with this matter.

Rao Sahib M. Ramaswamy.—

Did Mr. Alikhan ask the opinion of the President about his right to represent the rate-payers of any particular constituency?

General Secretary to Government.—

We do not know.

Dewan.—

It is after all a small matter. I do not think we need worry ourselves with further details.

GENERAL DISCUSSION ON THE BUDGET—(*Continued*).

MR. K. T. BHASHYAM IYENGAR prefaced his review of the budget with the remarks that, though the representatives of the people had been ventilating their grievances in connection with the budget discussions year after year, they were all proving ineffective; and if the members persisted in doing it, it was because of the hope that one day or other they might obtain redress. The grievances of the people in the rural parts covered a vast field. They had no sufficiency of food, no conveniences of any kind in the way of hospitals, schools, proper roads, drinking water wells, etc. All the same, the burden of taxation was not lightened in the least. The raiyats had to pay enhanced rates of land assessment and all sorts of cesses levied thereon. Yet, very little attempt was made to provide even for their primary wants. Instead of spending the major portion of the revenues for the benefit of the people, Government were spending it on their officers. In his opinion, the work of the revenue officers was nothing more than that of bill collectors who could be had on a much smaller pay. But their pay and the appurtenances seemed more than 20 per cent of the income from land revenue.

THE DEWAN pointed out that the function of the Revenue Department was not merely the collection of assessment but that it had to do other kinds of work besides.

MR. K. T. BHASHYAM IYENGAR thought that it was not much more than that. The people of Mysore were all law-abiding citizens who paid their taxes regularly. Even in times of economic depression like the present, the people only prayed for the grant of concessions and they never